G. R. S. IX-5]

Old 1102-96

Previous references. 1891

~~191~~ .

(LR)

File No. 6 of 91

Serial Nos. 1-3

Later references.

GENERAL AND REVENUE SECRETARIAT.

10

Serial Nos.

Part B for

SUBJECT.

Rules for granting advances for wells dug in dry lands.

Condemned.

W D 88—GPB—50,000—24-7-16

No. 4110-8 / 67 dt. 5-6 June 1892 Govt Res.—

The rules for granting advances for wells are intended chiefly to apply to wells to be excavated in Dry lands, & not for wells in lands assessed as garden or wet-rates.— The assessts of wet & garden lands are always high, & cannot ordinarily bear a further charge. Ser B. & Irrigation Engineer is therefore requested not to make any advance in future for wells

~~to~~ in garden or
such lands included in
the special boundary
of Fort. — Advances
should only be made
for new wells or repairing
old wells in lands
assessed at 5% rates
when all the conditions
of the rules can be
complied with —

4/6/92

Print Stitt Case 576

To W. G. Krekmayer
In all 5% Cases

Make a clean copy for the
Press today 7/6

1892.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 5th June 1892.

No. $\frac{4110\text{-}8.}{67.}$

Stating that the rules for granting advances for wells are intended to apply chiefly to wells to be excavated in dry lands, and directing that no advances should in future be made for wells in garden or wet lands without the special sanction of Government..

Mysore Government Central Press, Bangalore.—10-6-92.—120.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 5th June 1892.

No. 4110-8—67, DATED BANGALORE, 5TH JUNE 1892.

ORDER.—The rules for granting advances for wells are intended to apply chiefly to wells to be excavated in dry lands, and not for wells in lands assessed as garden or wet rates. The assessments of wet and garden lands are already high, and cannot ordinarily bear a further charge. Mr. B. G. Krishnaiengar is therefore requested not to make in future any advance for wells in garden and wet lands without the special sanction of Government. Advances should only be made for new wells or repairing old wells in lands assessed at dry rates, when all the conditions of the rules can be satisfied.

T. ANANDA ROW,
Chief Secretary.

To—Mr. B. G. Krishnaiengar.
The Deputy Commissioners of Districts.

Exd.—B.G.R.

Gen. Serial No. 30.]

1894 1198

From

The Deputy Commissioner
Chitaldroog District

To

The Chief Secretary to the
~~Government~~ Dewan of Mysore.
Bangalore.

Dated the 26th Jan'y 1894

Despatched 27th.

Received

Enclosures No. Two

General No. 76.
No. 68.

In reply to

SUBJECT.

Soliciting instructions as to the construction to be put upon the expression "Arrears of Revenue" employed in para 2 of Section 16 of Notification No 183 of 21st July 1891

R.C. 30/1/94 C.S. Guards 31/1/94

References (to be entered only in the Dewan's Office.)

Submitted for orders with a copy of Notifn referred to herein.

In this case - no loan order has yet been issued, nor the well completed. The advance of Rs100/- has been however repaid by the surety and the heirs of the applicant, who is dead. Rs:10/- on account of interest at the rate of 1/4 per rupee per annum and 4 as on account of ~~rent~~ fee is claimed.

The Dy Comr under prefatory appears to be correct. We can recover the advance as revenue arrears, but not with interest, for rule 16 para 2 does not say so

Subd for orders

21/8/94

Submitted for orders in accordance with Dy Comr's proposals

Rev. Commr's Office 22/8/94

Sd/- for Rev. Commr

Sd/- [illegible]
30/8/94

GOVERNMENT OF MYSORE

No. 76. En:
68. 2.

Deputy Commissioner's office
Chitaldroog District
Dated 26th July 1894.

To

The Chief Secretary to the
Government of Mysore

Sir,

In forwarding for perusal yade No: 6 dated the 7th instant received from Mr. B. G. Krishna Iyengar, Special Offr. in charge of Irrigation wells, I have the honor to solicit instructions as to the correctness, or otherwise of the construction placed by him upon the expression "arrears of revenue" employed in para 2 of Section 16 of Notification No: 183 dated 21st July 1891.

2. Mr. B. G. Krishna Iyengar thinks that when a default is made, interest is recoverable in the same way as interest is recovered on

arrears

arrears of revenue - But in my opinion, this interpretation of the phrase is not correct - There is no provision made in that section regarding the levy of interest. Moreover section 18 of the same Notification makes interest recoverable from the date of the issue of a loan order after completion of the work. Para 2 seems only to prescribe the procedure to be adopted in making recovery of the money advanced, such as notice, attachment &c -

I have the honor to be
Sir
Your most obedient Servant

C Reeves

Deputy Commissioner
Chitaldroog District.

Abstract of the Yadi of
Mr. B. G. Krishnengar &
6th July 1894 No 6

Para 2 of Section 16 of
Govt Notfn. No. 183 & 21st
July 1891 directs that when
persons fail to execute well
works according to the terms
of their Muchalika, the
advances made to them
be recovered as arrears of
Kandayem with interest
at 1 pie per rupee per month
If this Small rate of in-
terest be remitted, persons
would lose earnestness
and the works would be
left incomplete. It there-
fore seems necessary that
interest should be levied.
2. In the case under notice
the applicant has failed
to act up to the terms of his
Muchalika, & owing to his
negligence
fault the work, is left in-
complete. Orders may
therefore be issued to

the

Taluk. at the discretion
of the Dy: Commr for the
levy of interest.

21/12/98

Read:-

Letter No. 76/68 dated 26th July 1894, from the Dy Commr Chitaldoorg, soliciting instructions as to whether interest should be levied on preliminary advances when they are to be recovered as arrears of revenue.

(Print in extenso).

A short abstract in English of the Vadi of the Vernacular to be printed also

20/12

Inv 10607-16 D/20/12/94
R 1697/26
V.P. sent with P.P.

The Govt. agree with the Dy Commissioner. When default is made and the amount of the preliminary advance given remains to be recovered as an arrear of revenue under the rule quoted above, no

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Order thereon,—

~~No~~ interest should be charged on advances granted on account of irrigation wells when the said advance have to be recovered for default.

20/12/94

Print.

Chief Secretary
20/12/94

To The Dy Commr Chitaldoorg
Dist. returning the Vernacular papers.
" Dy Comrs 2 Dist Offs.
" Officers in charge on Spl Duty in Connection with Irrigation

Draft for afsk

1894-95

GOVERNMENT OF MYSORE

REVENUE

PROCEEDINGS

Dated 20th December 1894

No. 10607-16
R. 1597

Directing that when default is made in the construction of a well no interest be charged on the preliminary advances to be recovered.

M.G.C.P.,B.—22-1-95—120

Proceedings of the Government of His Highness the Maharaja of Mysore (Revenue)—dated 20th December 1894.

READ :—

Letter No. 76—63, dated 26th July 1894, from the Deputy Commissioner, Chitaldroog District, to the Chief Secretary to the Government of Mysore.

In forwarding for perusal Yadi No. 6, dated the 7th instant, received from Mr. B. G. Krishnaiengar, Special Officer in charge of Irrigation Wells, I have the honor to solicit instructions as to the correctness or otherwise of the construction placed by him upon the expression "arrears of revenue" employed in para 2 of Section 16 of Notification No. 183, dated 21st July 1891.

2. Mr. B. G. Krishnaiengar thinks that when a default is made, interest is recoverable in the same way as interest is recovered on arrears of revenue. But in my opinion, this interpretation of the phrase is not correct. There is no provision made in that section regarding the levy of interest. Moreover Section 18 of the same notification makes interest recoverable from the date of the issue of a loan order after completion of the work. Para 2 seems only to prescribe the procedure to be adopted in making recovery of the money advanced, such as notice, attachment, &c.

Please See A 7&c

Abstract of the Yadi of Mr. B. G. Krishnaiengar, dated 6th July 1894, No. 6.

Para 2 of Section 16 of Government Notification No. 183, dated 21st July 1891, directs that when persons fail to execute well works according to the terms of their Mutchalika, the advances made to them be recovered as arrears of kandayam with interest at one pie per rupee per month. If this small rate of interest be remitted, persons would lose earnestness and the works would be left incomplete. It therefore seems necessary that interest should be levied.

2. In the case under notice, the applicant has failed to act up to the terms of his Mutchalika, and owing to his negligence the work is left incomplete. Orders may therefore be issued to the Taluk at the discretion of the Deputy Commissioner for the levy of interest.

No. 10607-16—R. 1597, DATED, BANGALORE, 20TH DECEMBER 1894.

ORDER THEREON.—The Government agree with the Deputy Commissioner. When default is made and the amount of the preliminary advances given remains to be recovered as an arrear of revenue under the rule quoted above, no interest should be charged.

L. ANANTASAMI RAO,
for *Chief Secretary.*

To—The Deputy Commissioner, Chitaldroog District, returning vernacular papers.
The Deputy Commissioners of other Districts.
The Officer on Special Duty in connection with Irrigation Wells.

Exd.—K.S.